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C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 001247

SIPDIS

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TAGS: [PREL](#) [MARR](#) [TBIO](#) [AMED](#) [ID](#)
SUBJECT: NAVAL MEDICAL RESEARCH UNIT -- LEGISLATIVE HEARINGS

REF: JAKARTA 1199 AND PREVIOUS

Classified By: Pol/C Joseph Legend Novak, reasons 1.4(b+d).

1. (C) SUMMARY: The Indonesian House of Representatives (DPR) held hearings June 23 and 25 to discuss the future of the U.S. Naval Medical Research Unit (NAMRU 2) based in Jakarta. The DPR heard testimony from high-level representatives of the Ministry of Health, the military, and the Department of Foreign Affairs. While the tone of some ministers and the military chief of staff was critical of NAMRU, other comments were more favorable. Mission continues to work with the GOI to set dates for negotiations of the Memorandum of Understanding (MOU) on NAMRU 2. END SUMMARY.

FOREIGN MINISTER TESTIFIES

2. (SBU) On June 23, the DPR's Commission I dealing with foreign and defense policy held long-planned hearings on NAMRU 2. Testifying for his ministry, Foreign Minister Wirajuda said that Indonesia wanted to work closely with the USG on this matter and was planning to hold discussions on the MOU shortly. He noted, however, that only the director and deputy of the facility should have "diplomatic immunity and privileges" and no one else. "The laboratory is a research facility and not a diplomatic mission; we've been trying to limit such privileges to only the top two American staff," he said. This issue would figure in the discussions with the USG, he added. (Note: Our position remains that all NAMRU-employed Americans require A & T staff status, not diplomatic status.)

3. (SBU) Eddy Pratomo, Director General for International Law and Agreements at DEPLU, provided the Commission with the history of NAMRU 2, a review of its legal status and the current status of negotiations on the MOU. He said that since the Ministry of Health was the recipient of NAMRU-2 research DEPLU would defer to it for an opinion on the benefits of NAMRU 2 for Indonesia.

4. (SBU) Pratomo also told the Commission that the function of an embassy is not to do medical research and that the

position of NAMRU 2 as a part of the U.S. Embassy should be reviewed. He continued that DEPLU is having difficulty supervising NAMRU officials because their diplomatic status is unclear. Pratomo also commented that all "interested" GOI agencies would be involved in the final decision on NAMRU 2's status, including the Ministry of Health, military (TNI), Intelligence, Customs and the Department of Justice. Echoing Wirajuda, he underscored that the GOI looked forward to discussions on the NAMRU 2 MOU with the USG.

HEALTH MINISTRY, MILITARY COMMENTS

15. (SBU) During the continuation of the hearings on June 25, Minister of Health, Siti Supari, stated she was "very disappointed" in the visit of the Commission's members to NAMRU 2 earlier this month. She said the visit was "worthless" because NAMRU 2 did nothing to further the interests of Indonesian medical research--only the U.S. military receives any benefit from the facility. She also stressed that the Health Ministry's Research and Development Center had not gained anything from the cooperation with NAMRU 2 except for small research jobs. Supari also said the cooperation is not equal--the GOI also should have the reciprocal right to take virus samples from hospitals in Washington, D.C. She told the Commission that "if the Philippines can expel NAMRU 2, Indonesia should do the same."

Supari closed by adding that the original cooperative agreement to allow NAMRU to operate in Indonesia was signed in 1970 and did not--she asserted--"respect Indonesian sovereignty."

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16. (SBU) Armed Forces Chief Djoko Santoso, in a troubling addition to the criticism re NAMRU 2, told the hearing that NAMRU should be allowed to continue operating only if the terms of the MOU are made more equal. He said the Indonesian Navy should be the counterpart rather than the Ministry of Health. He also complained that international protocols make it mandatory for Indonesia to allow inspections of all facilities within a radius of 350 miles if a biological accident occurs--forcing the GOI to allow access to sensitive government and military installations. Defense Minister Juwono Sudarsono also testified, with a basically negative view, criticizing NAMRU 2 for lack of transparency and equality. Santoso stated: "If this agreement is to continue, the military wants to see conditions imposed. For instance, traveling researchers must go through clearance, and they need to register and operate with lines of accountability that we can monitor."

17. (SBU) In more upbeat comments, Kusmayanto Kadiman, Minister for Research and Technology, told the Commission that he supported NAMRU 2 as long as it was based on the spirit of international research cooperation. He said that equity is the key to cooperation and that the cooperation should protect Indonesia's resources and intellectual property rights. Kadiman also said that so far the cooperation had been based on an equal partnership between the two countries, and that the research has been shared fairly. He finished by reminding the Commission that Indonesia also had medical research agreements with Germany, the Netherlands and Slovenia.

SOME OPTIONS

18. (SBU) After the June 25 hearing, Commission I members proposed the following three possible outcomes re NAMRU 2:

- 1) Shut down NAMRU 2 now;
- 2) Stop NAMRU 2's operations, while evaluating its benefit to Indonesia's national interests; or,
- 3) Continue to allow NAMRU 2 to operate under new appropriate, negotiated conditions.

¶9. (SBU) The Chair of Commission I, Theo Sambuaga, noted that he personally supported option "3," commenting that he thought that NAMRU was "doing valuable research." He added that some of the terms of the MOU needed to be adjusted, however, which could be done during the upcoming negotiations. Over all, observers noted that GOLKAR party members (like Sambuaga) seemed inclined to support NAMRU, while the opposition Indonesian Party of Democratic Struggle (PDI-P) and some Muslim parties were not.

NEXT STEPS

¶10. (C) In a June 26 meeting, Pol/C asked Tri Sukma "Nanu" Djandam of the President's Office about the Commission I hearings. He replied that the DPR's views were "non-binding" on the executive branch. President Yudhoyono was firmly committed to negotiations on the MOU, he noted. Djandam added that he would be a member of the GOI negotiating team.

He confirmed that Eddy Pratomo of DEPLU would head the GOI team. As for the date of the negotiations, he said the Indonesians wanted to hold them as soon as possible, but were still reviewing dates. He expected the talks to take place in early July.

HUME